



July 15, 2003

Greg Butts, Director
Arkansas State Parks
Arkansas Dept. of Parks and Tourism
One Capitol Mall
Little Rock, AR 72201

Re: Advisory Opinion #483-03-7

Dear Mr. Butts:

This letter is in response to your April 8, 2003 request for an advisory opinion in accordance with §19-11-715(b) of the Arkansas Code Annotated of 1987. Your request for an advisory opinion is based on the following facts:

- a) Parks is seeking to procure a mobile home for use as an employee residence.
- b) An appraisal completed by a disinterested licensed appraisal service indicates that the value of the property is the same as the owner and parks employee, Robin Gabe's asking price.
- c) You wish to determine whether payment to the employee for the home would constitute an ethics violation.

We have reviewed your letter including detailed accounting of the price of the home and its appraisal, and agree that this purchase is in the best interests of the state. We also find that any perceived ethical violation is insubstantial and therefore is waived in accordance with Arkansas Code Annotated §19-11-715(c). (The same conclusion was drawn in Advisory Opinion #483-00-09 and #483-02-01 wherein Parks was seeking to purchase a manufactured home from an employee.)

Approval as a sole source purchase must be obtained from the Office of State Procurement. This advisory opinion is issued in accordance with Arkansas Code Annotated §19-11-715(b) and compliance with the above course of conduct is deemed to constitute compliance with the ethical standards of the Act.

Sincerely,

Richard A. Weiss
Director

cc: Joe Giddis
Tom Gay, Atty. Gen. Ofc.